
(2022) 11 P&H CK 0087

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 11085 Of 2022

Gaurav Kumar

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 24-11-2022

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2022) 11 P&H CK 0087

Hon'ble Judges : Anoop Chitkara, J

Bench : Single Bench

Advocate : Amit Kashyap, Rajat Gautam

Final Decision : Disposed Of

Judgement

Anoop Chitkara, J

The petitioner has come up before this Court under Article 226/227 of the Constitution of India, seeking release of the detainee (petitioner's wife) from clutches of respondents No.4 to 6.

Counsel for the State submits that statement of the detainee has been recorded by the police.

Given above, although the statement of the detainee-Ankita, has been recorded by the police, in the interest of justice, the concerned SHO is directed to produce the girl before the nearest Illaqa Magistrate, preferably a female, who shall interact with her and record her statement under Section 164 Cr.P.C. After recording of the statement, it is for the Magistrate to decide and send her where she wants to go and accordingly proceed further. State to expedite the production of the girl. State to place before the Magistrate any protection order that might have been passed and such Magistrate ensure that there is no violation of such order. Petitioner is directed to provide phone number of the detainee and also to attend phone call of the inquiry officer.

This petition is closed with the directions mentioned above, which are to be complied with on a priority. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It shall also be open for the petitioner to approach this Court again for any surviving or consequent grievances.

There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.

Petition is disposed of to the extent mentioned above. All pending applications, if any, stand disposed.